

PATENT  
2033.000300/JEHDECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHODS AND DEVICES FOR PREPARING PROTEIN CONCENTRATES**, the Specification of which:



is attached hereto.

was filed on **March 22, 1999** as Application Serial No. **09/147,897**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, United States provisional application(s), or inventor's certificate listed below and have also identified below any foreign application for patent, United States provisional application, or inventor's certificate having a filing date before that of the application on which priority is claimed:

| PRIORITY APPLICATION(S)       |                          |   | Priority Claimed |
|-------------------------------|--------------------------|---|------------------|
| PCT/US97/16897                | PCT                      | September 22, 1997                        | Yes              |
| (Number)<br><b>60/040,417</b> | (Country)<br><b>U.S.</b> | (Date Filed)<br><b>March 13, 1997</b>     | Yes/No<br>Yes    |
| (Number)<br><b>60/039,904</b> | (Country)<br><b>U.S.</b> | (Date Filed)<br><b>March 4, 1997</b>      | Yes/No<br>Yes    |
| (Number)<br><b>60/026,526</b> | (Country)<br><b>U.S.</b> | (Date Filed)<br><b>September 23, 1996</b> | Yes/No<br>Yes    |
| (Number)                      | (Country)                | (Date Filed)                              | Yes/No           |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

|                          |               |          |
|--------------------------|---------------|----------|
| (Application Serial No.) | (Filing Date) | (Status) |
| (Application Serial No.) | (Filing Date) | (Status) |

I hereby direct that all correspondence and telephone calls be addressed to Jeff E. Hundley, Ph.D., Patent Agent, Williams, Morgan & Amerson, P.C., 7676 Hillmont, Suite 250, Houston, Texas 77040, (713) 934-4066.

I HEREBY DECLARE THAT ALL STATEMENTS MADE OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

Inventor's Full Name: Chandrashekhar P. Pathak

Inventor's Signature: Chandrashekhar P. Pathak

Country of Citizenship: India USA

Date: 08/20/99

Residence Address: (street, number, city, state, and/or country)  
14300 Tandem, #175  
Austin, TX 78728

Post Office Address:  
(if different from above)

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 2962.07US01

Pathak, Chandrashekhar

Application No.: 09/147,897

Examiner: A. Mohamed

Filed: August 14, 2001

Group Art Unit: 1653

For: METHODS AND DEVICES FOR PREPARING PROTEIN CONCENTRATES

## REVOCATION AND NEW POWER OF ATTORNEY

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant hereby revokes all previous powers of attorney granted in this case. Applicants hereby appoint the following attorneys and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Peter S. Dardi (39,650); James H. Patterson (30,673), John F. Thuente (29,595),  
Wm. Larry Alexander (37,269), Kimberly. K. Baxter (40,504), Eric H. Chadwick  
(41,664), Randall T. Skaar (42,151), Douglas J. Christensen (35,480), Curtis B.  
Herbert (45,443), Michael A. Bondi (39,616), Paul C. Onderick (45,354), Brad D.  
Pedersen (32,432), Scott G. Ulbrich (48,005), and David A. Olsen (46,969).

Address all telephone calls to: Curtis B. Herbert at telephone number (612) 349-3008.

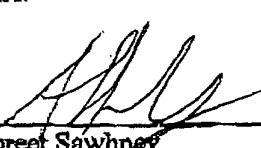
Please direct all future correspondence with respect to the above noted case to:

Customer No. 24113  
Curtis B. Herbert, Ph.D.  
Patterson, Thuente, Skaar & Christensen, P.A.  
4800 IDS Center, 80 South 8th Street  
Minneapolis, Minnesota 55402-2100

Date:

10/11/01

Name: Dr. Amarpreet Sawhney  
INCEPT LLC



Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 16-0691.

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. (703) 305-7401 on the date shown below.

Date

10/17/01

Curtis B. Herbert, Esq.

